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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/742,432	12/22/2000	Hideo Takiguchi	35.C15004	8880
5514	7590	11/05/2003	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			TABATABAI, ABOLFAZI	
			ART UNIT	PAPER NUMBER
			2625	
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/742,432

Applicant(s)

TAKIGUCHI, HIDEO

Examiner

Abolfazl Tabatabai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-14, 16-27, 29 and 30 is/are rejected.
- 7) ☐ Claim(s) 15 and 28 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner. .
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).
3. Claims 1, 9 and 16-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Suzuki et al (U S 6,094,218).

Regarding claim 1, Suzuki discloses an image reading system comprising:

image obtaining means for obtaining a second image of a predetermined aspect size ratio from a first image on the basis of an aspect size ratio of said first image (column 10, lines 18-24 and column 11, lines 5-10); and,

reducing means for reducing the second image obtained by said image obtaining means (column 4, lines 36-50; column 19, lines 3-7 and column 20, lines 1-4).

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Claim 9, is similarly analyzed as claim 1 above.

Regarding claim 16, Suzuki discloses an image reading system further comprising display means for displaying reduced images obtained by said reducing means (column 4, lines 36-50).

Claim 17, is similarly analyzed as claim 16 above.

Claim 18, is similarly analyzed as claim 1 above.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2-8, 10-14, 19-21, 25, 27, 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al (U S 6,094,218) as applied to claims 1, 9 and 19 above, and further in view of Sakaguchi (U S 5,995,201).

Regarding claim 2, Suzuki is silent about an apparatus wherein when the aspect size ratio of said first image is out of a predetermined range, said image obtaining means obtains said second image.

In the same field of endeavor, however, Sakaguchi discloses digital print method wherein when the aspect size ratio of said first image is out of a predetermined range, said image obtaining means obtains said second image (column 23, lines 16-22 and column 24, lines 50-67).

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It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the step of aspect size of ratio of first image is out of a predetermined range as taught by Sakaguchi in the system of Suzuki because Sakaguchi provides Suzuki a digital print system capable of easily matching a trimmed image with an image turning device, easily confirming the matching state and easily and correctly performing a trimming job by displaying, together with an image read by image sensor, causing no deterioration of image quality to prints any arbitrary size, capable of obtaining fine image quality through image processing effected using a minimum possible electronic magnification, having high reproducing accuracy of the film originals to the prints and having high productivity by solving the problems.

Regarding claim 3, Suzuki is silent about generating an image of the aspect size ratio of said predetermined value as said second image.

In the same field of endeavor, however, Sakaguchi discloses generating an image of the aspect size ratio of said predetermined value as said second image (column 23, lines 26-31 and column 24, lines 51-67).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the step of generating an image of the aspect size of ratio of predetermined value as taught by Sakaguchi in the system of Suzuki because Sakaguchi provides Suzuki a digital print system capable of easily matching a trimmed image with an image turning device, easily confirming the matching state and easily and correctly performing a trimming job by displaying, together with an image read by image sensor, causing no deterioration of image quality to prints any arbitrary size, capable of

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obtaining fine image quality through image processing effected using a minimum possible electronic magnification, having high reproducing accuracy of the film originals to the prints and having high productivity by solving the problems.

Regarding claim 4, Suzuki is silent about discloses a digital print method wherein said reducing means reduces the second image obtained by said image obtaining means at a same reduction ratio in both vertical and lateral directions of said second image.

In the same field of endeavor, however, Sakaguchi discloses reducing the second image obtained by said image obtaining means at a same reduction ratio in both vertical (column 10, lines 29-33) and lateral directions of said second image (column 15, lines 25-56 and 43-47).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the step of reducing ratio in both vertical and lateral directions of said second image as taught by Sakaguchi in the system of Suzuki because Sakaguchi provides Suzuki a digital print system capable of easily matching a trimmed image with an image turning device, easily confirming the matching state and easily and correctly performing a trimming job by displaying, together with an image read by image sensor, causing no deterioration of image quality to prints any arbitrary size, capable of obtaining fine image quality through image processing effected using a minimum possible electronic magnification, having high reproducing accuracy of the film originals to the prints and having high productivity by solving the problems.

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Regarding claim 5, Sakaguchi is silent discloses an apparatus further comprising adding means for adding specific information to an arbitrary end section of the reduced image obtained by said reducing means.

In the same field of endeavor, however, Sakaguchi discloses adding specific information to an arbitrary end section of the reduced image obtained by said reducing means (column 16, lines 5-10; column 9, lines 20-30 and column 10, lines 45-56).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the step of adding specific information to an arbitrary end section of reduced image as taught by Sakaguchi in the system of Suzuki because Sakaguchi provides Suzuki a digital print system capable of easily matching a trimmed image with an image turning device, easily confirming the matching state and easily and correctly performing a trimming job by displaying, together with an image read by image sensor, causing no deterioration of image quality to prints any arbitrary size, capable of obtaining fine image quality through image processing effected using a minimum possible electronic magnification, having high reproducing accuracy of the film originals to the prints and having high productivity by solving the problems.

Regarding claim 6, Sakaguchi is silent discloses an apparatus wherein said reducing means obtains said reduced image such that the reduced image to which said specific information was added by said adding means goes in an image frame of a predetermined size.

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In the same field of endeavor, however, Sakaguchi discloses specific information was added by said adding means goes in an image frame of a predetermined size (column 14, lines 12-26 and 58-64).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the step of reducing image such that the reduced image to which said specific information was added by said adding means goes in an image frame of a predetermined size as taught by Sakaguchi in the system of Suzuki because Sakaguchi provides Suzuki a digital print system capable of easily matching a trimmed image with an image turning device, easily confirming the matching state and easily and correctly performing a trimming job by displaying, together with an image read by image sensor, causing no deterioration of image quality to prints any arbitrary size, capable of obtaining fine image quality through image processing effected using a minimum possible electronic magnification, having high reproducing accuracy of the film originals to the prints and having high productivity by solving the problems.

Regarding claim 7, Sakaguchi is silent discloses an apparatus wherein said adding means adds the specific information to both end sections in the longitudinal direction between the vertical and lateral directions of said reduced image.

In the same field of endeavor, however, Sakaguchi discloses the specific information to both end sections in the longitudinal direction (column 15, lines 25-36) between the vertical (column 10, lines 29-33) and lateral directions of said reduced image (column 15, lines 25-36).

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It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the step of adding the specific information to both end sections in the longitudinal direction between the vertical and lateral directions of said reduced image as taught by Sakaguchi in the system of Suzuki because Sakaguchi provides Suzuki a digital print system capable of easily matching a trimmed image with an image turning device, easily confirming the matching state and easily and correctly performing a trimming job by displaying, together with an image read by image sensor, causing no deterioration of image quality to prints any arbitrary size, capable of obtaining fine image quality through image processing effected using a minimum possible electronic magnification, having high reproducing accuracy of the film originals to the prints and having high productivity by solving the problems.

Regarding claim 8, Sakaguchi is silent discloses an apparatus wherein said adding means uses a reduced image to which said specific information was added as an image for display.

In the same field of endeavor, however, Sakaguchi discloses specific information was added as an image for display (column 16, lines 5-10).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the step of specific information was added as an image for display as taught by Sakaguchi in the system of Suzuki because Sakaguchi provides Suzuki a digital print system capable of easily matching a trimmed image with an image turning device, easily confirming the matching state and easily and correctly performing a trimming job by displaying, together with an image read by image sensor, causing no

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deterioration of image quality to prints any arbitrary size, capable of obtaining fine image quality through image processing effected using a minimum possible electronic magnification, having high reproducing accuracy of the film originals to the prints and having high productivity by solving the problems.

Claim 10, is similarly analyzed as claim 2 above

Claim 11, is similarly analyzed as claim 6 above.

Claim 12, is similarly analyzed as claim 7 above.

Claims 13, and 14 are similarly analyzed as claim 5 above.

Regarding claim 19, an image processing method which can manage a plurality of images and display a list by using reduced images of said image, comprising:
a generating step of, when a target image (column 22, lines 17-21 of Sakaguchi) is an elongated image whose aspect ratio is larger than a first predetermined value (column 24, lines 50-67 of Sakaguchi), generating a reduced image of an aspect ratio of a second predetermined value from an arbitrary area portion of said target image (column 10, lines 45-56 of Sakaguchi); and,

a display step of displaying the reduced image of the aspect ratio of said second predetermined value generated in said generating step (column 4, lines 36-50 and column 11, lines 5-10 of Suzuki).

Claim 20, is similarly analyzed as claim 2 above.

Claim 21, is similarly analyzed as claim 4 above.

Claims 25, 29 and 30 are similarly analyzed as claim 19 above.

Claim 26, is similarly analyzed as claims 1 and 19 above.

Claim 27, is similarly analyzed as claim 5 above.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 22, 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al (U S 6,094,218) and Sakaguchi (U S 5,995,201) as applied to claim 19 above, and further in view of Miyaza (U S 5,424,853).

Regarding claim 22, Suzuki and Sakaguchi are silent about a method wherein specific marks are added to one or a plurality of upper, lower, right, and left positions of said reduced image of the aspect ratio of said second predetermined value.

In the same field of endeavor, however, Miyaza discloses image processing apparatus wherein specific marks are added to one or a plurality of upper, lower, right, and left positions of said reduced image of the aspect ratio of said second predetermined value (column 7, lines 27-37 and column 23, lines 30-47).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use specific marks are added to one or a plurality of upper, lower, right, and left positions of said reduced image of the aspect ratio of said second predetermined value as taught by Miyaza in the system of Suzuki because Miyaza

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provides an image processing apparatus with respect to processes of enlargement and reduction, since a conventional digital copying machine is capable of only enlarging or reducing a whole image, the function is low in spite of the advantage of any easy process for image data, therefore, an image processing apparatus such as copying machine, scanner printers is hoped to be developed so as to have a function which can solve problems.

Regarding claim 23, Miyaza is silent discloses a method wherein said specific marks are added to both ends in the longitudinal direction of said reduced image of the aspect ratio of said second predetermined value.

In the same field of endeavor, however, Sakaguchi discloses reduced image of the aspect ratio of said second predetermined value (Column 7, lines 26-37).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the step of specific marks are added to both ends in the longitudinal direction of said reduced image of the aspect ratio of said second predetermined value as taught by Miyaza in the system of Suzuki because Miyaza provides an image processing apparatus with respect to processes of enlargement and reduction, since a conventional digital copying machine is capable of only enlarging or reducing a whole image, the function is low in spite of the advantage of any easy process for image data, therefore, an image processing apparatus such as copying machine, scanner printers is hoped to be developed so as to have a function which can solve problems.

Regarding claim 24, Miyaza is silent discloses a method wherein in said generating step, the reduced image to which said specific marks were added is used as a reduced image for display.

In the same field of endeavor, however, Sakaguchi discloses added is used as a reduced image for display (column 24, lines 5-14).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the step of specific marks were added is used as a reduced image for display as taught by Miyaza in the system of Suzuki because Miyaza provides an image processing apparatus with respect to processes of enlargement and reduction, since a conventional digital copying machine is capable of only enlarging or reducing a whole image, the function is low in spite of the advantage of any easy process for image data, therefore, an image processing apparatus such as copying machine, scanner printers is hoped to be developed so as to have a function which can solve problems.

Allowable Subject Matter

8. Claims 15 and 28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Other prior art Cited

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Kagawa (U S 5,195,174) discloses image data processing apparatus capable of composing one image from a plurality of images.

Matsuura et al (U S 5,231,679) disclose image processing apparatus and image reducing circuit therefor.

Iyoda et al (U S 5,515,181) disclose image reading apparatus providing high quality images through synthesis of segmented image data.

Muramatsu (U S 5,553,201) discloses digital image processing device for automatically selecting one of plurality of different image enlarging/reducing manners.

Contact Information

10. any inquiry concerning this communication or earlier communications from the Examiner should be directed to ABOLFAZL TABATABAI whose telephone number is (703) 306-5917.

The examiner can normally be reached on Monday through Thursday from 9:30 a.m. to 7:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Bhavesh Mehta M, can be reached at (703) 308-5246.

Any response to this action should be mailed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

or faxed to:

(703) 872-9306 (for **formal** communications; please mark
"EXPEDITED PROCEDURE")

Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA. Sixth Floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 305-4750

Abolfazl Tabatabai

Patent Examiner

Group Art Unit 2625

October 21, 2003



Jayanti K. Patel
Primary Examiner